

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1102 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-3-1-0.4 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 0.4. As used in this
- 5 chapter, "newspaper" refers to a newspaper that:
- 6 (1) is a daily, weekly, semiweekly, or triweekly newspaper of
- 7 general circulation;
- 8 (2) has:
- 9 (A) been published for at least ~~three (3)~~ **two (2)** consecutive
- 10 years in the same city or town;
- 11 (B) **obtained subscriptions from at least ten percent**
- 12 **(10%) of the population of the city or town in which the**
- 13 **newspaper is published; or**
- 14 (C) **accumulated at least fifty percent (50%) of all**
- 15 **newspaper subscriptions in the city or town in which the**
- 16 **newspaper is published;**
- 17 (3) has been entered, authorized, and accepted by the United
- 18 States Postal Service for at least three (3) consecutive years as
- 19 mailable matter of the periodicals class; and
- 20 (4) has at least fifty percent (50%) of all copies circulated paid
- 21 for by subscribers or other purchasers at a rate that is not
- 22 nominal.
- 23 SECTION 2. IC 5-3-1-0.7 IS AMENDED TO READ AS
- 24 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 0.7. (a) As used in this
- 25 chapter, "qualified publication" means a publication that:

- 1 (1) is published daily, weekly, semiweekly, or triweekly;  
2 (2) is of general circulation to the public;  
3 (3) has:  
4 (A) been published for at least ~~three (3)~~ **two (2)** consecutive  
5 years in the same city or town;  
6 (B) **obtained subscriptions from at least ten percent**  
7 **(10%) of the population of the city or town in which the**  
8 **newspaper is published; or**  
9 (C) **accumulated at least fifty percent (50%) of all**  
10 **newspaper subscriptions in the city or town in which the**  
11 **newspaper is published;**  
12 (4) has continuity as to title and general nature of content from  
13 issue to issue;  
14 (5) contains news of general or community interest, community  
15 notices, or editorial commentary;  
16 (6) contains advertisements from unrelated advertisers in each  
17 issue;  
18 (7) has, in more than one-half (1/2) of its issues published during  
19 the previous twelve (12) month period, not more than  
20 seventy-five percent (75%) advertising content;  
21 (8) has a known office location in the county in which it is  
22 published; and  
23 (9) has been entered, authorized, and accepted by the United  
24 States Postal Service asailable matter of standard mail (A)  
25 class for the time published.  
26 (b) A publication is not a qualified publication if any of the  
27 following apply:  
28 (1) The publication is owned by, or under the control of, the  
29 owners or lessees of a shopping center or a merchant's  
30 association.  
31 (2) The publication is owned by, or under the control of, a  
32 business that sells property or services (other than advertising)  
33 and the predominant advertising in the publication is advertising  
34 for the business's sales of property or services.  
35 (3) The publication is a mail order catalog or other catalog,  
36 advertising flier, travel brochure, house organ, theater program,  
37 telephone directory, restaurant guide, shopping center advertising  
38 sheet, or other similar publication.  
39 (4) The publication is primarily devoted to matters of specialized  
40 interest such as a labor, fraternal, society, political, religious,  
41 sporting, or trade news publication or journal.  
42 (5) The publication is a magazine, racing form, or tip sheet."  
43 RENUMBER ALL SECTIONS CONSECUTIVELY  
(Reference is to HB 1102 as printed January 18, 2006).

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Representative THOMPSON